

Appl. No. 10/773,971
Atty. Docket No. 9520
Reply dated July 23, 2007
Reply to Office Action mailed May 15, 2007
Customer No. 27752

REMARKS

Formal Matters

Claims 7 and 12-20 have been withdrawn pursuant to the finality of the Restriction Requirement by the Examiner in the instant Application. Claim 1 has been amended to claim a convolutely wound web material dispensing kit comprising a package. The package comprises at least one roll of the convolutely wound web material and at least one roll support adapter. Support for the current amendment to Claim 1 is found in Applicants' Specification on page 4, lines 5-7, as originally filed. Claim 11 has been amended to claim a kit comprising a package. The package comprises at least one roll of convolutely wound web material, at least one roll support adapter, and wherein at least one component of the kit comprises indicia. Support for the current amendment to Claim 11 is found in Applicants' Specification on page 4, lines 5-7, as originally filed. No new matter has been presented in the instant Application by way of the instant amendments. Upon the indication of allowable subject matter, Applicants will respectfully request rejoinder of the withdrawn claims pursuant to M.P.E.P. §821.04. Claims 1-20 remain pending in the instant Applications and are presented for the Examiner's review in light of the above amendments and the following comments.

Rejection Under 35 U.S.C. §112

Claims 1-11 have been rejected under 35 U.S.C. §112, ¶2. Applicants believe the instant rejections under 35 U.S.C. §112, ¶2 have been obviated in view of Applicants' amendment presented in current Claims 1 and 11. Applicants respectfully request withdrawal of the Examiner's 35 U.S.C. §112, ¶2 rejection forthwith.

Rejection Under 35 U.S.C. §102

Claims 1 and 4 have been rejected under 35 U.S.C. §102(b) over Linick, U.S. Patent No. 3,834,636. Additionally, Claims 1 and 4 have been rejected under 35 U.S.C. §102(b) over Mitchell, et al., U.S. Patent No. 5,464,170. Applicants respectfully traverse the instant rejections under 35 U.S.C. §102(b).

Applicants' instant Claim 1 has been amended to claim a convolutely wound web material dispensing kit comprising a package. The package comprises, *inter alia*, at least

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one roll of the convolutedly wound web material and at least one roll support adapter. Further, Applicants' Claim 11 has been amended to claim a kit comprising a package. The package comprises, *inter alia*, at least roll of convolutedly wound web material, at least one roll support adapter and wherein at least one component of the kit comprises indicia. Neither the *Linick* nor *Mitchell* references teaches or discloses the kit as claimed by Applicants in current Claims 1 and 11. Thus, by virtue of the instant amendments, Applicants firmly believe the instant rejections to Claims 1 and 4 under 35 U.S.C. §102(b) have been obviated. Therefore, Applicants respectfully request an expedient withdrawal of the Examiner's rejection under 35 U.S.C. §102(b) to Applicants' Claims 1 and 4.

Rejection Under 35 U.S.C. §103

Claim 11 has been rejected under 35 U.S.C. §103(a) over *Linick* in view of *Diederich*, U.S. Patent No. 2,628,713 or *Kessler*, U.S. Patent No. 6,227,360. Alternatively, Claim 11 has been rejected under 35 U.S.C. §103(a) over *Mitchell* in view of *Diederich* or *Kessler*. Applicants respectfully traverse the instant rejections under 35 U.S.C. §103(a) for the following reasons:

1. As stated *supra*, Applicants' current Claim 11 now claims a kit comprising a package. The package further comprises, *inter alia*, at least one roll of convolutedly wound web material and at least one roll support adapter. At least one component of the kit comprises indicia.

2. As stated with regard to the rejections under 35 U.S.C. §102(b) above, neither the *Linick* nor *Mitchell* references discloses, teaches, or even remotely suggests Applicants' claimed kit. Further, the *Diederich* and *Kessler* references do nothing to support the deficiencies of the *Linick* or *Mitchell* references as discussed above. Therefore, absent any disclosure, teaching, or suggestion in any of the references cited by the Examiner with regard to the instant claims, the cited references cannot obviate Applicants' claimed invention as presented in instant Claim 11 herein. In other words, absent any additional disclosure that remedies the shortcomings of the *Linick* or *Mitchell* references, the 35 U.S.C. §103(a) rejection to Claim 11 over the combination of the *Linick*, *Diederich*, and *Kessler* references or the *Mitchell*, *Diederich*, and *Kessler*

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references cannot substantiate a valid rejection under 35 U.S.C. §103(a). Therefore, Applicants respectfully request withdrawal of the Examiner's rejection to Claim 11 under 35 U.S.C. §103(a) over the references cited herein.

Conclusion

Based on all the foregoing, it is respectfully submitted that each of Applicants' remaining claims is in condition for allowance and favorable reconsideration is requested.

This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §512. If any additional charges are due, the Examiner is authorized to deduct such charges from Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 

Peter D. Meyer
Attorney for Applicant
Registration No. 47,792
(513) 634-7419

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